

take place), and the "certain" time referring to *an indefinite time* period in which the data that does not indicate a violation is deleted. This follows because as the database is scanned, only that data which is at least a predetermined age and which does not indicate a violation is deleted. The data that is not deleted already has an age which can be essentially as old, at the *maximum* limit, as the predetermined time. When the database is subsequently scanned, which can be anytime after the first scanning depending on when the method of the invention is triggered again (i. e., when a vehicle next passes an enforcement unit), the unmatched data which does not indicate a violation is checked again and that data which was not old enough to be deleted in an earlier scanning may now exceed the predetermined time period and equals the "certain period of time", again an indefinite time period *at* which deletion takes place. The certain period of time of deletion is therefore not "predetermined" *per se* and varies in length from just exceeding the predetermined period of time to a time between the minimum number of scanning steps required to span the predetermined period. Therefore, in claim 7, the term "certain" is more appropriate and less ambiguous.

Further, Applicant wishes to emphasize that the Auty patent does not at all describe a method (e.g., as per p. 11 of the present application) which shows using a look up table including data on *minimum travel-time drivable distance* between *adjacent and non-adjacent* enforcement units in the system and other data necessary to determine a violation. Auty *et al.* does not mention the ability to determine average speed between non-adjacent nodes except to generally say on col. 6, lines 58-61, that the "distance between the nodes would be relatively large and an allowable time for travel between nodes would be established corresponding to a permitted average speed" and in col. 31, lines 26 to 52, "once a match has been located, the acquisition time fields can be used to determine whether speed or time violations have occurred in travel between remote sites 2". Exactly which nodes or remote sites are not specifically identified. Further, when nodes are specified, they are *adjacent* nodes (e.g., nodes 52 and 54). Therefore, there is no suggestion to use a lookup table to calculate average speed between *nonadjacent* nodes. Applicant's invention, on the other hand, clearly describes a means of calculating average speed and comparing average speed across *non-adjacent* nodes. Applicant's invention is therefore patentably distinct from Auty *et al* and the prior art of record. Acknowledgment of this fact through a Notice of Allowability of the pending claims is requested.

Applicant has conducted a recent search in which further prior art was uncovered. Consideration of this prior art, in particular Hovart, is respectfully requested.

\* \* \*

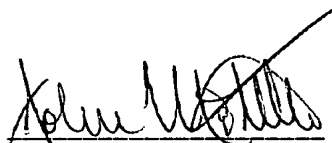
### Conclusions

No new matter is being added by this amendment. All of the above is supported in the application as filed, in particular, in lines 20 of page 8 to line 18 of page 10 of the application. Applicant has now clearly shown that there are significant patentable differences between Applicant's invention and the prior art. No prior art reference or assembly of references taken together, suggests or teaches Applicant's invention as now claimed. Because there is no "logical reason apparent from the evidence of record that would justify the combination or modification" of Auty *et al.* or any other prior art document, Applicant's invention as now claimed is patentably distinct from the prior art and thus claims 1-10, as amended, should be passed to allowance.

The amendments made herein are made solely for the purpose of advancing the examination of the application and, unless otherwise specifically stated, are not to be construed as an admission that the claimed invention requires such amendments to be patentably distinct over the prior art.

If the Examiner finds this response deficient in any way, Applicant requests that the Examiner contact the Applicant via telephone or fax at 011-4122-344-0694 (Geneva, Switzerland) or e-mail to [davinci@iprolink.ch](mailto:davinci@iprolink.ch).

Respectfully Submitted,

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Enclosures: Information Disclosure Statement